

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Sruthi Venigalla	Team: Team # 3	CCRB Case #: 201403479	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 04/09/2014 3:45 PM	Location of Incident: Madison Street between Clinton and Montgomery Streets	Precinct: 07	18 Mo. SOL 10/9/2015	EO SOL 10/9/2015	
Date/Time CV Reported Fri, 04/11/2014 2:59 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 04/11/2014 2:59 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Cicero Coloma	02629	946869	NARCBMS
2. DT3 Emerito Dejesus	07309	915573	NARCBMS

Officer(s)	Allegation	Investigator Recommendation
A.DT3 Emerito Dejesus	Abuse: Det. Emerito Dejesus stopped § 87(2)(b)	
B.POM Cicero Coloma	Abuse: PO Cicero Coloma stopped § 87(2)(b)	
C.POM Cicero Coloma	Abuse: PO Cicero Coloma searched § 87(2)(b)	
§ 87(4-b), § 87(2)(g)		

Case Summary

On April 9, 2014, at approximately 3:45 p.m., § 87(2)(b) and § 87(2)(b) whom he identified as his brother in law, were walking from § 87(2)(b)'s residence at § 87(2)(b) in Manhattan. They had been walking on Madison Street in the direction of Montgomery Street for approximately five minutes, without interacting with any other individuals, when an unmarked black van approached them from behind and pulled to a stop next to the sidewalk that they were on.

Two officers in plainclothes exited the vehicle. An officer, identified by the investigation as Det. Emerito DeJesus of Narcotics Borough Manhattan South, described as a heavyset Hispanic man with short hair, appearing approximately 5'10" tall and approximately 30 to 40 years of age, asked § 87(2)(b) "What's that you have in your hand? (**Allegation A**)" § 87(2)(b) said "It's a metro card." Another officer, identified by the investigation as PO Cicero Coloma of Narcotics Borough Manhattan South, and described as an Asian man who was approximately 5'10" tall and 175 pounds, pushed § 87(2)(b) up against the unmarked van and placed his hands in the pockets of § 87(2)(b)'s jeans, hoodie, coat, as well as, his white sneakers (**Allegations B and C**). Det. DeJesus said, "This one's on us. The next one's on you." § 87(2)(b) was not arrested or issued a summons.

§ 87(2)(e), § 87(2)(f)

Mediation, Civil and Criminal Histories

- During his statement at the CCRB on May 7, 2014, § 87(2)(b) declined mediation as an alternative to resolving his complaint.
- The undersigned investigator submitted a Freedom of Information Law (FOIL) request on January 23, 2015 to verify if § 87(2)(b) filed a notice of claim with the City of New York regarding this incident. The response will be placed in the case file upon receipt.

- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]
[REDACTED]
 - [REDACTED]
[REDACTED]
[REDACTED]
 - [REDACTED]
[REDACTED]
 - [REDACTED]
[REDACTED]

Civilian and Officer CCRB Histories

- § 87(2)(b) has filed five previous complaints with the CCRB. § 87(2)(b)
§ 87(2)(b)
§ 87(2)(b)
§ 87(2)(b)
- PO Cicero Coloma has been a member of the NYPD for six years and has had eight previous CCRB allegations involving three cases, none of which have been substantiated (Encl. B1).

- Det. Emerito DeJesus has been member of the NYPD for 19 years and has had four previous allegations involving three cases. In CCRB case number 9704679, an allegation of a threat of arrest was substantiated, for which Det. DeJesus received instructions (Encl. B2).

Findings and Recommendations

Explanation of Officer Identification

§ 87(2)(e), § 87(2)(f)

§ 87(2)(e), § 87(2)(f)

§ 87(2)(e), § 87(2)(f)

The Narcotics Borough Manhattan South roll call and movement log for April 9, 2014, indicate that at the time of the incident, PO Coloma and Det. DeJesus were assigned together to § 87(2)(e), § 87(2)(f), a black Ford van (Encl. E4 –E6). Furthermore, § 87(2)(b)s and § 87(2)(b)s descriptions of the subject officers matches the pedigrees of PO Coloma and Det. DeJesus.

Recommendations

§ 87(2)(g)

Allegation A – Abuse of Authority: Det. Emerito DeJesus stopped § 87(2)(b)

Allegation B – Abuse of Authority: PO Cicero Coloma stopped § 87(2)(b)

It is undisputed that Det. DeJesus and PO Coloma stopped § 87(2)(b) § 87(2)(g). During his statement at the CCRB on May 7, 2014 (Encl. C5 – C9), § 87(2)(b) stated that two officers in plainclothes identified by the investigation as Det. DeJesus and PO Coloma approached him. Det. DeJesus asked him “What’s that you have in your hand?” § 87(2)(b) who provided a brief telephone statement on June 4, 2014 (Encl. C4), stated that he was approximately ten feet in front of § 87(2)(b) and therefore had no interaction with the officers. According to § 87(2)(b) Det. DeJesus asked, “What did you put in your mouth?” § 87(2)(g)

During their statements at the CCRB, neither Det. DeJesus nor PO Coloma recalled details of the incident or recognized a photograph of § 87(2)(b) § 87(2)(e), § 87(2)(f). He could not recall either man’s pedigree, nor could he recall his partner on the day of the incident.

§ 87(4-b), § 87(2)(g)

[Redacted text block]

Team: _____

Investigator: _____
Signature Print Date

Supervisor: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date